

Freedom of the Press

In 2013, press freedom experienced a slight decline in Haiti in the context of countrywide social, political, and economic instability—longstanding conditions that have only intensified in the aftermath of the catastrophic January 2010 earthquake. Journalists continue to face widespread and entrenched poverty, lack of institutional support, difficulty accessing information, and a tradition of excessively biased media.

In the past decade, Haiti's government has improved its record on upholding constitutional guarantees of freedom of expression and of the press, including forbidding censorship except in the case of war. Defamation remains a criminal offense, though only a few cases in recent years have advanced beyond the initial charge. However, in February 2013 Justice and Public Security Minister Jean Renel Sanon issued a press release highlighting a renewed emphasis on enforcing defamation law, noting the strict punishments in the Haitian criminal code. The minister's remarks triggered an outcry from Haitian media outlets and journalist associations, including the Haitian National Media Association (ANMH). Sanon was later called to testify before the Senate, where he stated he was simply applying national legislation that should be repealed if it was found to threaten press freedom. In September 2012, Haitian Prime Minister Laurent Lamothe had brought a defamation suit in a U.S. court in Miami against the *Haiti-Observateur*, a Haitian-American weekly newspaper that had published an article alleging that Lamothe had orchestrated and profited from the sale of a telecommunications company to the Haitian government. In February 2013, the judge ruled in favor of Lamothe and ordered that the journalist who produced the defamatory article, Leo Joseph (who is based in New York), never again write about the prime minister's personal, professional, or political activities. However, Joseph challenged the ruling and the parties settled the complaint in October 2013.

Although there is no specific freedom of information law, Article 40 of the constitution stipulates that the government must publicize all laws, international agreements, decrees, treaties, and contracts. In practice, however, the government makes it difficult for local journalists to access public information. Since taking office in May 2011, President Michel Martelly has been praised for his willingness to hold press conferences and his use of social media to communicate with the public. At the same time, Martelly has been criticized for his open hostility and occasional derogatory comments toward journalists, as well as for his frequent refusal to speak with representatives of media outlets critical of the government.

The state-run National Telecommunications Council (CONATEL) issues licenses to radio stations and does not regulate content. Since 2012, CONATEL has shut down more than 50 community radio stations, alleging that they were operating illegally, with improper licenses. Ten of these stations appealed their closure and applied for legitimate licenses, but were denied, with CONATEL stating that the "illegal station" frequencies would go to new stations. In December 2011, media associations and journalists in Haiti signed their first journalistic code of ethics, which included clauses pertaining to respect for individual dignity and privacy, prohibiting discrimination in journalistic work, and encouraging an unbiased and balanced treatment of information. In February 2012, the first lady, Sophia Martelly, held a meeting to explore the possibility of creating a law to regulate the press, to the outrage of journalists, who protested the meeting and alleged that the government was attempting to control the media, according to the Institute for Justice & Democracy in Haiti. Since the meeting, no further action has been taken on the issue.

Although the situation has improved markedly in the past decade, journalists in Haiti occasionally face harassment, intimidation, and violence. The Platform of Haitian Human Rights Organizations (POHDH) stated that, in 2013, journalists increasingly came under attack and were subject to various forms of aggression. In March, the editor in chief of *Haiti-Progress*, Georges Henri Honorat, was killed in a drive-by shooting outside his home by two masked individuals. The International Press Institute has urged Haitian authorities to consider Honorat's role as a journalist in investigating possible motives for his murder, which remained unsolved. In May, radio journalist Pierre-Richard Alexandre was shot in his home, and died in the hospital two days later. Alexandre was a correspondent for Radio Kiskeya, a privately owned station, and hosted a political discussion program on local station Radio Delta. Again, it is unclear whether Alexandre was targeted because of his profession. Jean Monard Métellus, a program host on *Caribes FM*, received death threats and was the subject of a "murder plot." Justice and Public Security Minister Sanon said Métellus would be given state protection. In the context of rising political polarization and tension in the country, there were also numerous reports of journalists being threatened and expelled from state-sponsored events.

Radio is by far the dominant news medium, with more than 90 percent of the population enjoying access. Over 290 FM stations operate without a license, and there are more than 70 community stations scattered across the country. Many of these stations are affiliated with political organizations or parties. In addition to the state-owned Télévision Nationale d'Haïti (TNH), there are several private television stations, though audiences remain small due to lack of electricity and resources. Newspaper distribution also remains limited due to high rates of illiteracy. Haiti has several weekly and two daily newspapers—*Le Nouvelliste* and *Le Matin*—all of which are privately owned and published in French, the language spoken by only about 20 percent of the population. There are no government restrictions on the internet, which was accessed by about 10.6 percent of Haitians in 2013.

The concentration of wealth among a small number of Haitians and the effects of the 2010 earthquake have negatively affected media outlets' ability to obtain advertising revenue and sustain themselves financially. Journalists also struggle with low salaries, and economic hardship has led some media outlets and journalists to accept bribes. Despite new communications minister Ady Jean Gardy's pledge in May 2012 to offer journalists health and life insurance, POHDH noted in March 2013 that the majority of Haitian journalists continued to work without such insurance and made salaries that could not support their families.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

50

Legal Environment

(0 = best, 30 = worst)

Political Environment

(0 = best, 40 = worst)

18

Economic Environment

(0 = best, 30 = worst)

18